

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

SB 673 - HB 849

March 23, 2015

SUMMARY OF BILL: Authorizes a court to extend a defendant's period of probation until all fines, fees, and costs associated with the conviction are paid or the judge waives or declares the fines, fees, and costs paid.

ESTIMATED FISCAL IMPACT:

Increase State Revenue – Exceeds \$400,000

Increase State Expenditures – \$150,800

Increase Local Revenue – Exceeds \$300,000

Assumptions:

- The bill would allow a judge to extend a defendant's probation indefinitely until all fines, fees, and costs are paid by the defendant. The judge could also waive the fines, fees, and costs or declare them paid.
- Extending the period of probation for defendants will increase the total probation population.
- The DOC will need additional probation officers to handle the increase in offenders being monitored. It is assumed that the DOC will need three additional supervision officers.
- The DOC reports that each probation officer will have a base salary of \$29,832 and will incur recurring expenses for professional services, training, supplies, and travel. Each officer will increase expenditures by \$50,323 [$\$29,832 + (\$29,832 \times .1503) \text{ benefits} + (\$29,832 \times 0.0765) \text{ FICA} + \$6,325.56 \text{ insurance} + \$2,000 \text{ professional services} + \$200 \text{ training} + \$200 \text{ supplies} + \$5,000 \text{ travel}$]. The increase for three officers is \$150,969 ($\$50,323 \times 3$).
- Extending a defendant's probation until the fines, fees, and costs are paid, waived, or declared paid will likely result in an increase in collections for such fines, fees, and costs.
- The Administrative Office of the Courts prepared a report in 2012 on the collection rate for fines, fees, and costs. The report shows that court clerks collected approximately \$77,649,708 in criminal fines, fees, and costs during the year in question. It is assumed that similar collections are made each fiscal year.

- It is assumed that the bill will result in an increase of at least one percent in collections in criminal cases. Criminal fines are state revenue, court costs are local revenue, and fees, which include litigation taxes, are both state and local.
- The bill will result in additional collections each year of \$776,497 ($\$77,649,708 \times .01$). The allocation of this amount between state and local revenue cannot reasonably be determined. It is assumed that the increase in state revenue will exceed \$400,000 and that the increase in local revenue will exceed \$300,000.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink, appearing to read "Jeffrey L. Spalding". The signature is fluid and cursive, with the first name "Jeffrey" and last name "Spalding" clearly distinguishable.

Jeffrey L. Spalding, Executive Director

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